

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BRIAN OTERO, individually and	)	
on behalf of a class of similarly situated	)	
individuals,	)	
	)	12 C 3148
Plaintiff,	)	
	)	Honorable Judge
vs.	)	Amy J. St. Eve
	)	
THOMAS J. DART, <i>et al.</i>	)	Magistrate Judge
	)	Michael T. Mason
Defendants.	)	

**DEFENDANTS' MOTION FOR LEAVE TO FILE THEIR CORRECT  
RESPONSE TO PLAINTIFF'S MOTION TO INCLUDE INDIVIDUALS WHOSE  
CHARGES WERE VACATED WITHIN THE CLASS INSTANTER**

NOW COME Defendants, Sheriff Thomas J. Dart and Cook County, by their attorney ANITA ALVAREZ, State's Attorney of Cook County, through her assistant, Anthony E. Zecchin, and states as follows:

1. Defendants are represented by undersigned counsel in the above-titled action.
2. Defendants timely filed a response to Plaintiff's Motion to Include Individuals Whose Charges Were Vacated Within the Class on May 7, 2015. Dkt. nos. 123-124.
3. Upon reviewing the electronic entry of docket no. 123, undersigned counsel recognized that an earlier draft response had been filed rather than a final version.
4. Defendants are seeking leave to file their correct response instanter.

5. That the granting of this motion will not unfairly prejudice Plaintiff or unduly delay the litigation of this matter.
6. Defendants do not object to an one day extension of time for Plaintiff to file his reply.

WHEREFORE, Defendant requests that this Honorable Court grant the following relief:

- a. That this Honorable Court grant Defendants leave to file their response instant;
- b. That this Honorable Court grants any other relief it deems just.

Respectfully submitted,  
ANITA ALVAREZ  
State's Attorney of Cook County

/s/ Anthony E. Zecchin  
Anthony E. Zecchin  
Assistant State's Attorney  
500 Richard J. Daley Center  
50 W. Washington  
Chicago, Illinois 60602